

BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:


WHEREAS, The Forty-first Legislature at its Fifth Called Session passed House Bill Number 47, being " AN ACT making it unlawful for any practicing lawyer to become Surety upon the bail bond of any person charged with crime and held in custody within this State, when such lawyer is representing the person charged for pay; and requiring the Sheriff or other officers having in custody such person so charged, and required to pass upon such bonds for approval or disapproval to disapprove any bail bond so signed, and to make inquiry as to any bail bond signed by any Attorney to determine whether it should be disapproved hereunder, and providing this Act shall not apply to a bond signed by any Attorney related within the third degree to the person charged;" and

WHEREAS, said bill has been vetoed for the reasons set out in the following statement, which has been filed with said bill in the office of the Secretary of State:

The attached bill, House Bill Number 47, being "AN ACT making it unlawful for any practicing lawyer to become Surety upon the bail bond of any person charged with crime and held in custody within this State, when such lawyer is representing the person charged for pay; and requiring the Sheriff or other officers having in custody such person so charged, and required to pass upon such bonds for approval or disapproval to disapprove any bail bond so signed, and to make inquiry as to any bail bond signed by any Attorney to determine whether it should be disapproved hereunder, and providing this Act shall not apply to a bond signed by any Attorney related within the third degree to the person charged", is hereby vetoed.

This bill seeks to prohibit practicing lawyers from becoming surety upon the bail bond of any person charged with crime in this State. It is one of the ethics of the legal profession that a lawyer will not become surety on the bail bond of his client, and so far as I know this rule of the profession is respected by lawyers. If this bill simply enacted into law that long established custom of the profession and provided that ^a practicing lawyer should not become a surety upon the bail bond of a client who was charged with crime, I would approve the bill. It would be simply enacting into law an ancient and long respected custom of honorable members of an honorable profession.

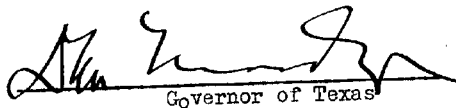
This bill, however, prohibits any lawyer from becoming surety upon the bail bond of any person charged with crime. If a person is not acting as attorney for one charged with crime, and is a solvent surety within the meaning of the law, I see no reason why he should be denied the right to become surety for a friend on a bail bond just because such person happened to be a practicing lawyer. This bill prohibits any practicing lawyer from becoming surety upon any bail bond. I would think it a good law if it prohibited an attorney from becoming surety on a bail bond for his client. The ethics of the profession are against such conduct on the part of lawyers. However, I see no reason for generally prohibiting any and all practicing lawyers from becoming sureties on bail bond, even though they are not interested in the case in any capacity.



NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, THAT I,
DAN MOODY, Governor of the State of Texas, under and by virtue of the
authority vested in me by the Constitution and Laws of this State, have
vetoed said Bill for the reasons stated and on file, and do hereby pro-
claim said action to have been taken.



IN TESTIMONY WHEREOF, I have here-
unto signed my name officially and
caused the seal of State to be im-
pressed hereon at Austin, Texas,
this the 26th day of March, A. D.
1930.


Governor of Texas

BY THE GOVERNOR


Secretary of State

Assistant